

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

PROGRESSIVE MINERALS LLC.,

Plaintiff,

V.

**MUHAMMAD HAROON RASHID,
GERALD D. HENDRIX, DAVID M.
BERNSTEIN, JOHN DOUGLAS
REYNOLDS, JOHN C. CROSBIE, and
JUDE O'NURKERA,**

Defendants.

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CASE NO. 5:07-CV-108

U.S. DISTRICT COURT
FILED AT WHEELING, WV

AUG. 31 2009

NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

ENTRY OF DEFAULT AGAINST GERALD D. HENDRIX

On this day came for consideration the Request for Entry of Default against Gerald D. Hendrix (the "Request") in the above-referenced adversary proceeding. Plaintiff, Progressive Minerals LLC., ("Plaintiff") filed the Request on August 28, 2009. After having reviewed the Request and supporting affidavit, the pleadings and papers filed in this action and the Court's docket, the Clerk of the Court finds that Plaintiff properly served Gerald D. Hendrix ("Hendrix") with a copy of the summons and Complaint and that Hendrix has failed to file an answer or any other responsive pleading as required by the summons and applicable Federal Rules of Civil Procedure and that cause exists to GRANT the Request. It is therefore

ORDERED that default is hereby entered against Gerald D. Hendrix, in accordance with FEDERAL RULE OF CIVIL PROCEDURE 55(a)..

SIGNED on this 31st day of August, 2009.

Wally Edgell, by *Clayton C. Cothrell* Deputy Clerk
CLERK OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA